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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

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Carol J. Macdonald, NO. C 03-03538 JW

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Plaintiff(s),

**ORDER TO SHOW CAUSE
RE: SETTLEMENT**

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v.

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Zurich Life Insurance Company Of America et
al.,

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Defendant(s).

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On December 2, 2005, counsel for Defendants Zurich Life Insurance Company of America and Zurich Direct, Inc., Henry Wang, informed the Court that the above-entitled matter had reached a settlement. In light of the settlement, the Court vacates all trial and pretrial dates. On or before **January 23, 2006**, the parties shall file a stipulated dismissal pursuant to Federal Rule of Civil Procedure 41(a).

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If a dismissal is not filed by the specified date, all parties shall appear in Courtroom No. 8, 4th Floor, United States District Court, 280 South First Street, San Jose, Ca. on **February 6, 2006** at 9:00 a.m. and to show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ. P. 41(b). On or before **January 23, 2006**, the parties shall file a joint statement in response to the Order to Show Cause.

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The joint statement shall set forth the status of the activities of the parties for finalizing the settlement and how much additional time is requested to finalize and file the dismissal. If a voluntary dismissal is filed as ordered, the Order to Show Cause hearing will be automatically vacated.

Failure to comply with any part of this Order will be deemed sufficient grounds to dismiss this action.

United States District Court

For the Northern District of California

1 Dated: December 5, 2006

/s/James Ware
2 JAMES WARE
3 United States District Judge

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United States District Court

For the Northern District of California

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Edward M. Bull ebull@banningmicklow.com
3 Geoffrey T. Tong gtong@manatt.com
3 Henry Chi-Jen Wang Hwang@manatt.com
4 Kurt Micklow kmicklow@banningmicklow.com
4 Lois A. Lindstrom lindstrom@eakdl.com
5 Soonhyung Nancy Whang Nwhang@manatt.com

6 **Dated: December 5, 2005**

7 **Richard W. Wieking, Clerk**

8 **By: /s/JW Chambers**
9 **Ronald L. Davis**
10 **Courtroom Deputy**

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